

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

----- X  
:  
JANNIE PILGRIM, GIOVANNA HENSON, :  
JESAN SPENCER, BRENDA CURTIS, :  
:  
Plaintiffs, : Civil Action No.: 07-6618 (CM) (AJP)  
:  
against :  
:  
THE MCGRAW-HILL COMPANIES, INC., :  
:  
Defendant. :  
----- X

**DECLARATION OF GREGORY I. RASIN, ESQ. INDEXING DOCUMENTS  
SUPPORTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Gregory I. Rasin declares, pursuant to 28 U.S.C. § 1746, and under penalty of perjury, that the following is true and correct:

1. I am a member of the firm of Proskauer Rose LLP, counsel for The McGraw-Hill Companies, Inc. ("Defendant" or "McGraw-Hill"), defendant in the above-captioned matter, and I submit this Declaration in support of Defendant's Motion for Summary Judgment.

2. Attached as Exhibit A is a true and correct copy of relevant portions of the transcript from Plaintiff Giovanna Henson's deposition, taken on January 9, 2008.

3. Attached as Exhibit B is a true and correct copy of relevant portions of the transcript from Plaintiff Jesan Spencer's deposition, taken on January 3, 2008.

4. Attached as Exhibit C is a true and correct copy of relevant portions of the transcript from Plaintiff Brenda Curtis's deposition, taken on January 11, 2008.

5. Attached as Exhibit D is a true and correct copy of relevant portions of the transcript from David Murphy, taken on May 2, 2008.

6. Attached as Exhibit E is a true and correct copy of relevant portions of the transcript from William Harper's deposition, taken on April 9, 2008.

7. Attached as Exhibit F is a true and correct copy of relevant portions of the transcript from Ken Caruso's deposition, taken on April 15, 2008.

8. Attached as Exhibit G is a true and correct copy of relevant portions of the transcript from Sheila O'Neill's deposition, taken on February 29, 2008.

9. Attached as Exhibit H is a true and correct copy of relevant portions of the transcript from Brett Marschke's deposition, taken on April 18, 2008.

10. Attached as Exhibit I is a true and correct copy of relevant portions of the transcript from Richard Fisher's deposition, taken on March 5, 2008.

11. Attached as Exhibit J is a true and correct copy of relevant portions of the transcript from Vladimir Stadnyk's deposition, taken on May 7, 2008.

12. Attached as Exhibit K is a true and correct copy of relevant portions of the transcript from Marianne Gattinella's deposition, dated March 28, 2008.

13. Attached as Exhibit L is a true and correct copy of the Complaint, dated July 16, 2007.

14. Attached as Exhibit M are true and correct copies of the Charges of Discrimination filed with the EEOC by Plaintiffs Spencer, Henson and Curtis and the Addendum to the Charge, bearing Bates numbers D03412 and Pl. 278-311.

15. Attached as Exhibit N are true and correct copies of Plaintiffs' Notice of Right to Sue Letters, bearing Bates numbers D03208, D03337, and D03485.

16. Attached as Exhibit O are true and correct copies of Plaintiffs Spencer's and Curtis's hire notices and documentation of Plaintiff Henson's employment with McGraw-Hill, bearing Bates numbers D00658, D00030, D00210, respectively.

17. Attached as Exhibit P are true and correct copies of the McGraw-Hill Equal Employment Opportunity Policy, Open Door Policy, Fast and Impartial Resolution ("FAIR") program, and Employee Hotline, bearing Bates numbers D01145-46 and D01198-200.

18. Attached as Exhibit Q are true and correct copies of Plaintiff Henson's 2001, 2002, 2003, and 2004 Performance Reviews ("PMPs"), bearing Bates numbers D00113-5, D00121-3, D00133-6, and D00152-63.

19. Attached as Exhibit R is a true and correct copy of Sheila O'Neill's notes regarding Plaintiff Henson, dated February 9, 2005, bearing Bates number D00149.

20. Attached as Exhibit S is a job requisition form for an HR Representative position at Information and Media Services, bearing Bates numbers D07405-7416.

21. Attached as Exhibit T is a job requisition form for the HR representative position at McGraw-Hill Education, bearing Bates numbers D07446-7457.

22. Attached as Exhibit U is a true and correct copy of the Resume of Blessing Mariano, bearing Bates number D01137.

23. Attached as Exhibit V is a true and correct copy of the relevant excerpts from Plaintiff Henson's Application for Employment to the New York City Department of Education, bearing Bates numbers NYCDOE000019-21.

24. Attached as Exhibit W is a true and correct copy of Plaintiff Spencer's 2003 PMP, bearing Bates numbers D00628-32.

25. Attached as Exhibit X is a true and correct copy of Plaintiff Spencer's 2004 PMP, bearing Bates numbers D03377-93.

26. Attached as Exhibit Y are (i) an Email from Anne McMahon to Bill Harper, dated January 14, 2004; (ii) a handwritten memorandum from Bill Harper to Plaintiff Spencer; and (iii) a 360 Degree Feedback Worksheet for Plaintiff Spencer, bearing Bates numbers D00801, D00825, and D00831.

27. Attached as Exhibit Z is a true and correct copy of Plaintiff Spencer's 2005 PMP, bearing Bates numbers Spencer 3993-4010.

28. Attached as Exhibit AA is a true and correct copy of Plaintiff Spencer's 2005 mid-year Performance Review, bearing Bates numbers Spencer 4007-8.

29. Attached as Exhibit BB is a true and correct copy of Brett Marschke's notes regarding his meeting with Plaintiff Spencer on December 13, 2005, bearing Bates number D00900-901.

30. Attached as Exhibit CC is a true and correct copy of the Certificate of Business for Spencer Healthy Life, bearing Bates numbers Spencer 0377-78.

31. Attached as Exhibit DD is a true and correct copy of Plaintiff Curtis's Offer Letter to an Office Manager position in the E-Business Department of S&P in the Securities Services Division of McGraw-Hill, bearing Bates number D00040.

32. Attached as Exhibit EE is a true and correct copy of the Termination and Release Agreement between Plaintiff Curtis and McGraw-Hill, bearing Bates numbers D00006-12.

33. Attached as Exhibit FF is a true and correct copy of the first draft of the Recommendation Letter written by Vladimir Stadnyk for Plaintiff Curtis, dated October 3, 2005 and bearing Bates number Curtis 3927.

34. Attached as Exhibit GG is a true and correct copy of the second draft of the Recommendation Letter written by Vladimir Stadnyk for Plaintiff Curtis, dated October 6, 2005 and bearing Bates number Pl. 151.

35. Attached as Exhibit HH is a true and correct copy of the Candidate File for Plaintiff Curtis for the position of Administrative Assistant/Office Manager to the Vice President in Global Licensing and Contracts, bearing Bates numbers D01071-80.

36. Attached as Exhibit II is a true and correct copy of the Candidate File for Patricia Hosein for the position of Administrative Assistant/Office Manager to the Vice President in Global Licensing and Contracts, bearing Bates numbers D01059-70.

37. Attached as Exhibit JJ is a true and correct copy of the Candidate File for Plaintiff Curtis for the Position of Assistant Compliance Officer, bearing Bates numbers D01018-25.

38. Attached as Exhibit KK is a true and correct copy of the Candidate File for Dalila Springer, bearing Bates numbers D01008-17.

39. Attached as Exhibit LL is a true and correct copy of the Candidate File for Plaintiff Curtis for the position of Administrative Assistant to the Chief Information Officer of Technology for S&P, bearing Bates numbers D00997-1004.

40. Attached as Exhibit MM is a true and correct copy of the Candidate File for Linda Terry-Coutrier for the position of Administrative Assistant to the Chief Information Officer of Technology for S&P, bearing Bates numbers D00987-96.

41. Attached as Exhibit NN is a true and correct copy of Plaintiff Curtis's Answer No. 14 from Curtis's Answers to Interrogatories, dated December 10, 2007.

42. Attached as Exhibit OO is a true and correct copy of the Job Description for a Graphic Design Position in Marketing, bearing Bates number Curtis 3948.

43. Attached as Exhibit PP is a true and correct copy of the Candidate File for Plaintiff Curtis for the position of Administrative Assistant in Corporate & Government Ratings, bearing Bates numbers D00979-84.

44. Attached as Exhibit QQ is a true and correct copy of the Candidate File for Eva Quintela for the position of Administrative Assistant in Corporate & Government Ratings, bearing Bates numbers D00972-78.

45. Attached as Exhibit RR is a true and correct copy of the Candidate File for Plaintiff Curtis for the position of Administrative Assistant in S&P Ratings, bearing Bates numbers D01051-56.

46. Attached as Exhibit SS is a true and correct copy of the Candidate File for Claudia Rodriguez for the position of Administrative Assistant in S&P Ratings, bearing Bates numbers D06330-46.

47. Attached as Exhibit TT is a true and correct copy of the Candidate File for Plaintiff Curtis for the position of Administrative Assistant to the Senior Vice President of Global Client Services & Sales, bearing Bates numbers D01031-37.

48. Attached as Exhibit UU is a true and correct copy of the Affidavit of Deborah O'Connor, sworn to and subscribed on June 18, 2008.

49. Attached as Exhibit VV is a true and correct copy of the Affidavit of Ken Caruso, sworn to and subscribed on June 13, 2008.

50. Attached as Exhibit WW is a true and correct copy of the Affidavit of Anne Maffei, sworn to and subscribed on June 19, 2008.

51. Attached as Exhibit XX is a true and correct copy of the Affidavit of Rita M. Bolger, sworn to and subscribed on June 20, 2008.

52. Attached as Exhibit YY is a true and correct copy of the Affidavit of Joseph Held, sworn to and subscribed on June 18, 2008.

53. Attached as Exhibit ZZ is a true and correct copy of the Affidavit of Carl Cederholm, sworn to and subscribed on June 18, 2008.

54. Attached as Exhibit AAA is a true and correct copy of the Affidavit of Evonne Inglesh, sworn to and subscribed on June 19, 2008.

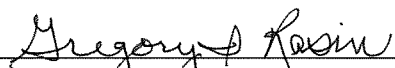
55. Attached as Exhibit BBB is a true and correct copy of the Affidavit of Paul Coughlin, sworn to and subscribed on June 16, 2008.

56. Attached as Exhibit CCC is a true and correct copy of the Affidavit of Shari Stein, sworn to and subscribed on June 16, 2008.

57. Attached as Exhibit DDD is a true and correct copy of the Affidavit of Nancy (Tomeo) Farrelly, sworn to and subscribed on June 13, 2008.

58. Attached as Exhibit EEE is a true and correct copy of the Affidavit of Susan George, sworn to and subscribed on June 19, 2008.

Dated: June 26, 2008

  
\_\_\_\_\_  
GREGORY J. RASIN